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TO: MAIL STOP AF

Examiner David R. Lazaro

FAX NO: 1-571-273-8300

COMPANY: USPTO

FROM: Gero G. McClellan / David M. Magness/pdm

PAGE(S) with cover: 21

ORIGINAL TO FOLLOW? ☐ YES ☒ NO

RE:
TITLE: **System, Method and Data Structure Providing Chained Uniform Resource Locators**
U.S. SERIAL NO.: 09/641,184
FILING DATE: **August 17, 2000**
INVENTOR(S): **Brian John Cragun**
EXAMINER: **David R. Lazaro**
GROUP ART UNIT: 2155
CONFIRMATION NO.: 5343

Attached for the above-referenced application is an APPEAL BRIEF.

CONFIDENTIALITY NOTE

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PATENT
Atty. Dkt. No. ROC920000064US1
PS Ref. No.: IBM2K0064

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: §
      Brian John Cragun   §
       §
 Serial No.:   09/641,184   §
      §
 Confirmation No.:   5343   §
      §
 Filed: August 17, 2000   §
      §
 For: System, Method and Data   §
      Structure Providing Chained   §
      Uniform Resource Locators   §
      §
	Group Art Unit: 2155
	
	 Examiner: David R. Lazaro

MAIL STOP APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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<tr><td>CERTIFICATE OF MAILING OR TRANSMISSION</td></tr>
<tr><td>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail In an envelope addressed to: Mail Stop Appeal Brief - Patents, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office to fax number 571-273-8300 to the attention of Examiner David R. Lazaro, on the date shown below:</td></tr>
<tr><td>July 3, 2006   𝓝. 𝓜. 𝓝
Date   David M. Magness</td></tr>
</table>

Dear Sir:

APPEAL BRIEF

Applicant submits this Appeal Brief to the Board of Patent Appeals and Interferences on appeal from the decision of the Examiner of Group Art Unit 2155 dated December 29, 2005, finally rejecting claims 21-28 and 33-37. The final rejection of claims 21-28 and 33-37 is appealed. This Appeal Brief is believed to be timely since facsimile transmitted by the due date of March 28, 2006, as set by mailing of a Notice of Appeal on May 1, 2006. Please charge the fee of $500.00 for filing this brief to Deposit Account No. 09-0465/ROC920000064US1.

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Real Party in Interest

The present application has been assigned to International Business Machines Corporation, Armonk, New York.

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Related Appeals and Interferences

Applicant asserts that no other appeals or interferences are known to the Applicant, the Applicant's legal representative, or assignee which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

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Status of Claims

Claims 21-28 and 33-37 are pending in the application. Claims 1-46 were originally presented in the application. Claims 1-20, 29-32 and 38-46 have been canceled without prejudice. Claims 21-28 and 33-37 stand finally rejected as discussed below. The final rejections of claims 21-28 and 33-37 are appealed. The pending claims are shown in the attached Claims Appendix.

Status of Amendments

All claim amendments have been entered by the Examiner, including amendments to the claims proposed after the final rejection.

Summary of Claimed Subject Matter

The pending claims (*see, e.g.,* Claim 21) describe a computer-implemented method for use in a browser program. *See, e.g.,* Pg. 6, Lines 16-19; Fig. 2, Item 210. In one embodiment, the method includes storing, for each user manipulation of a currently retrieved resource, data indicative of such user manipulation. *See, e.g.,* Pg. 12, Lines 16-31; Fig. 55, Items 518, 520. The method also includes combining a network address of a base resource and at least one data structure indicative of user manipulation of said base resource to form a compound network address. *See, e.g.,* Pg. 7, Lines 18-21; Fig. 3A, Items, 300, 320, 330; Pg. 8, Lines 6-14. The compound network address is suitable for retrieving a resource according to the stored user manipulations. *See, e.g.,* Pg. 9, Lines 9-21; Fig. 3A, Item 300, 330. At least one user manipulation is stored using at least one coordinate of a pointer selection made by a user. *See, e.g.,* Pg. 9, Lines 9-21; Fig. 3A, Item 300; Pg. 13, Lines 19-27; Fig. 5, Items 500, 538; Pg. 16, Lines 5-17. The pointer selection includes a target network address of a resource retrieved by the user. *See, e.g., id.*

The pending claims (*see, e.g.,* Claim 25) also describe a uniform resource locator (URL) embodied in a tangible computer-readable medium. *See, e.g.,* Pg. 6, Lines 1-13; Fig. 1, Item 130; Pg. 7, Lines 18-21; Fig. 3A, Items 300, 320, 330. The URL includes a base URL and a sequence of executable selections, the base URL defining a location of a resource to be retrieved. *See, e.g.,* Pg. 7, Lines 18-21; Fig. 3A, Items 300, 320, 330. The sequence of executable selections defines a respective sequence of navigation selections to be executed. *See, e.g.,* Pg. 18, Lines 23-25; Pg. 7, Lines 1-4; Pg. 17, Lines 14-23; Pg. 17, Line 33 – Pg. 18, Line 4; Fig. 6, Items 620, 634, 626, 628. Each of the sequence of selections is executed after a sequentially preceding selection has been executed. *See, e.g., id.* At least one executable selection is stored using at least one coordinate of a pointer selection made by a user. Pg. 9, Lines 9-21; Fig. 3A, Item 300; Pg. 13, Lines 19-27; Fig. 5, Items 500, 538; Pg. 16, Lines 5-17. The pointer selection includes a target network address of a resource retrieved by the user. *See, e.g., id.*

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The pending claims (*see, e.g.,* Claim 33) further describe a data structure embodied in a tangible computer readable medium. *See, e.g.,* Pg. 6, Lines 1-13; Fig. 1, Item 130; Pg. 7, Lines 18-21; Fig. 3A, Items 300, 320, 330. The data structure includes a uniform resource locator (URL) chain header record comprising a base URL and a plurality of URL chain records. *See, e.g.,* Pg. 6, Lines 1-13; Fig. 1, Item 130; Pg. 7, Lines 18-21. Each of the URL chain records includes a content field for storing an executable selection, the executable selection causing a present resource to be modified. *See, e.g.,* Pg. 18, Lines 23-25; Pg. 7, Lines 1-4; Pg. 17, Lines 14-23; Pg. 17, Line 33 – Pg. 18, Line 4; Fig. 6, Items 620, 634, 626, 628. At least one URL chain record is stored using at least one coordinate of a pointer selection made by a user. *See, e.g.,* Pg. 9, Lines 9-21; Fig. 3A, Item 300; Pg. 13, Lines 19-27; Fig. 5, Items 500, 538; Pg. 16, Lines 5-17. The pointer selection includes a target network address of a resource retrieved by the user. *See, e.g., id.*

Grounds of Rejection to be Reviewed on Appeal

1. Claims 21-28 and 33-37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,535,912 by *Anupam et al. (Anupam)* in view of U.S. Pat. No. 5,774,123 *Matson (Matson)*.

ARGUMENTS

Obviousness of Claims 21-28 and 33-37 over *Anupam et al.* in view of *Matson*.

The Applicable Law

The Examiner bears the initial burden of establishing a *prima facie* case of obviousness. *See* MPEP § 2142. To establish a *prima facie* case of obviousness three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one ordinary skill in the art to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *See* MPEP § 2143. The present rejection fails to establish at least the third criterion.

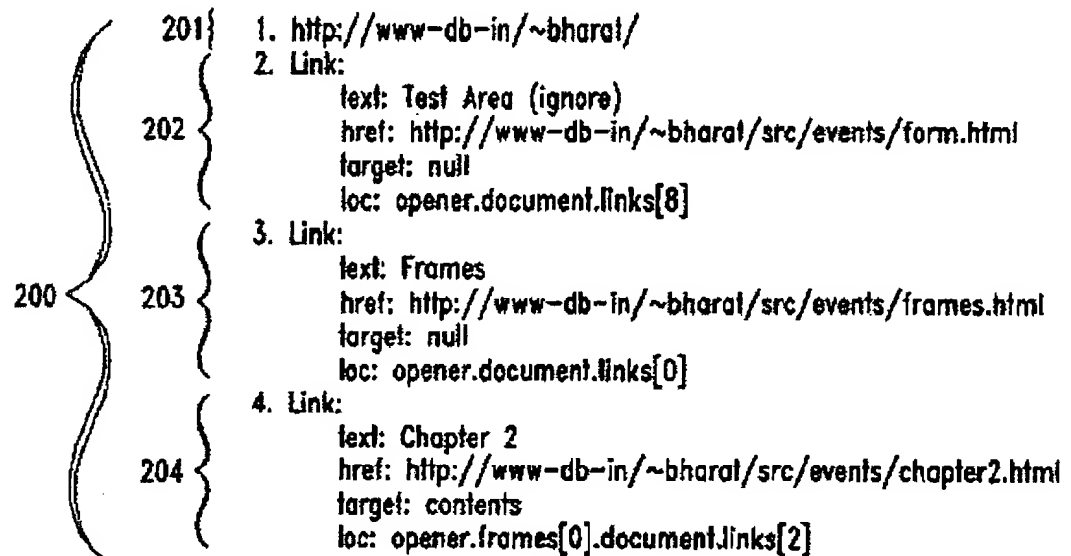*The Examiner's Rejection of Claim 21 and Applicant's Arguments*

With respect to Claim 21 and the claims that depend therefrom, the claim describes "combining a network address of a base resource and at least one data structure indicative of user manipulation of said base resource to form a compound network address, said compound network address suitable for retrieving a resource according to the stored user manipulations".

The Examiner states that the claimed subject matter is described at Col. 7, Line 50 to Col. 8, Line 53 of *Anupam*. *See Final Office Action dated December 29, 2005* (hereinafter *Final Office Action*), Pgs. 9-10, Item 31. The cited section describes Figures 2 and 3 of *Anupam* which depict data stored within a smart bookmark. *See Anupam*, Col. 7, Line 50 to Col. 8, Line 53. The data includes the URL of a first page and separate traversal links which identify destination link points. *See Anupam*, Figs. 2-

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3, Col. 7, Line 50 to Col. 8, Line 9. As depicted, data in the smart bookmark is stored as separate steps (*e.g.*, Fig. 2, Items 202, 204, 204), each having separate lines indicating that the step is a link, text associated with the step, a link traversal, etc. *See id.* Thus, in *Anupam*, data in the smart bookmark is stored as separate steps within the smart bookmark. *See id.* For convenience, Fig. 2 of *Anupam* is reproduced here:

FIG. 2

```
201 {  1. http://www-db-in/~bharat/
        2. Link:
202 {          text: Test Area (ignore)
               href: http://www-db-in/~bharat/src/events/form.html
               target: null
               loc: opener.document.links[8]
        3. Link:
200 {  203 {   text: Frames
               href: http://www-db-in/~bharat/src/events/frames.html
               target: null
               loc: opener.document.links[0]
        4. Link:
204 {          text: Chapter 2
               href: http://www-db-in/~bharat/src/events/chapter2.html
               target: contents
               loc: opener.frames[0].document.links[2]
```

In contrast, Claim 21 describes a ***compound network address*** which is formed from a network address of a base resource and a data structure indicative of user manipulation of the base resource. *See* Claim 21. By way of illustration, an exemplary network address (*e.g.*, a compound URL), described in Applicant's specification at Pg. 11, Lines 1-6, is reproduced here:

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<A HREF="http:/www.a.com/frame" CHAIN="URL'ORDERFORM.HTML'

MK:SEL='NAME' KEY='JOE' SEL='SUBMIT' MK: SEL='CONFIRM'""> MY CHAIN </A>

As described above, the link traversals in *Anupam* do not form a network address, but are instead stored separately as steps (*See, e.g.,* Items 202, 204, 204 in Fig. 2 of *Anupam*) within a smart bookmark, which itself is also not a network address. Accordingly, *Anupam* does not teach the subject matter asserted by the Examiner. Withdrawal of the rejection is respectfully requested.

The Examiner's Rejection of Claim 25 and Applicant's Arguments

With respect to claim 25 and the claims that depend therefrom, the claim describes a uniform resource locator (URL) embodied in a tangible computer-readable medium comprising a base URL and a sequence of executable selections. The base URL defines a location of a resource to be retrieved and the sequence of executable selections define a respective sequence of navigation selections to be executed.

The Examiner states that the claimed subject matter is described at Col. 7, Line 50 to Col. 8, Line 53 of *Anupam*. *See Final Office Action,* Pg. 11, Item 35. As described above, in *Anupam,* data in the smart bookmark is stored as separate steps within the smart bookmark. *See Anupam,* Figs. 2-3, Col. 7, Line 50 to Col. 8, Line 9. The data is not stored as a URL with a base URL and a sequence of executable selections, nor is the smart bookmark a URL. *See id.* Accordingly, *Anupam* does not teach the subject matter asserted by the Examiner. Withdrawal of the rejection is respectfully requested.

The Examiner's Rejection of Claim 33 and Applicant's Arguments

With respect to Claim 33 and the claims that depend therefrom, the claim describes a uniform resource locator (URL) chain header record comprising a base URL and a plurality of URL chain records, each of the URL chain records comprising a content field for storing an executable selection, the executable selection causing a

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present resource to be modified. *See* Claim 33. The Examiner states that the claimed subject matter is described at Col. 7, Line 50 to Col. 8, Line 53 of *Anupam.* *See Final Office Action,* Pg. 13, Item 39. As described above, *Anupam* described data in a smart bookmark which is stored as separate steps. *See Anupam,* Figs. 2-3, Col. 7, Line 50 to Col. 8, Line 9. The steps, or the smart bookmark, do not form a URL chain record header comprising a base URL and a plurality of URL chain records. *See id.* Accordingly, withdrawal of the rejection is respectfully requested.

The Examiner's Advisory Action

In the Examiner's *Advisory Action dated April 19, 2006* (hereinafter *Advisory Action*), the Examiner provides various responses to Applicant's arguments. *See Advisory Action,* Pgs. 2-4. For Example, with respect to Applicant's arguments that the link traversals in *Anupam* do not form a network address, and that the smart bookmark in *Anupam* itself is not a network address, the Examiner states that Applicant has not presented reasoning as to how Applicant's statements distinguish the actual claimed subject matter from the cited prior art. *See Advisory Action,* Pg. 2, Para. 1. As support, the Examiner states that "the claimed subject matter does not state a 'network address' is formed, but rather a 'network address' is used to form a 'compound network address'." *See id.*

Thus, the Examiner's basis for rejecting the claims appears to be that, in the Examiner's opinion, the claims do not describe a 'network address'. However, as stated by the Examiner, the claims do refer to a 'compound network address'. *See, e.g.,* Claim 21. Applicants respectfully submit that a 'compound network address' *is itself a type of network address (e.g.,* a network address with compound parts, where the adjective *compound* describes the type of *network address*). *See id.* Accordingly, Applicant respectfully submits that the pending claims do describe a network address and, as such, the Examiner's basis for rejecting the claims is incorrect. Accordingly, withdrawal of the rejection is respectfully requested.

With respect to Claim 25, the Examiner states that "it may be arguable that a smart bookmark is not a URL from the standard technological viewpoint". *See Advisory Action,* Pg. 3, Para. 2. However, the Examiner also states that Claim 25 is not considered to be a URL from the standard technological viewpoint. *See id.* Thus, the Examiner appears to suggest that the smart bookmark in *Anupam* is not a URL and furthermore that Applicant has nevertheless failed to claim a URL in the pending claim. *See id.* Applicant agrees with the Examiner that the smart bookmark in *Anupam* is not a URL (nor, as described above, is the smart bookmark a network address). Applicant further submits that Claim 25 is directed to a URL and that the claim would be understood as such by one of ordinary skill in the art. *See, e.g.,* Claim 25. As stated above, the claim specifically describes a uniform resource locator (URL) embodied in a tangible computer-readable medium comprising a base URL and a sequence of executable selections. *See id.* Accordingly, *Anupam* does not teach the claimed subject matter. Applicant respectfully requests withdrawal of the rejection.

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CONCLUSION

The Examiner errs in finding that claims 21-28 and 33-37 are unpatentable over *Anupam* in view of *Matson* under 35 U.S.C. § 103(a). Withdrawal of the rejection and allowance of all claims is respectfully requested.

Respectfully submitted, and
S-signed pursuant to 37 CFR 1.4,

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CLAIMS APPENDIX

1. - 20.   (Cancelled)

21.   (Previously Presented)   A computer-implemented method for use in a browser program, the method comprising:

storing, for each user manipulation of a currently retrieved resource, data indicative of such user manipulation; and

combining a network address of a base resource and at least one data structure indicative of user manipulation of said base resource to form a compound network address, said compound network address suitable for retrieving a resource according to the stored user manipulations, wherein at least one user manipulation is stored using at least one coordinate of a pointer selection made by a user, wherein the pointer selection comprises a target network address of a resource retrieved by the user.

22.   (Original)   The method of claim 21, wherein said network addresses comprise uniform resource locators (URLs).

23.   (Original)   The method of claim 21, wherein said user manipulations comprise at least one of resource selections, line data pointing device selections and keyboard data.

24.   (Original)   The method of claim 23, wherein user manipulations comprising pointing device selections are defined in terms of pixel coordinates.

25.   (Previously Presented)   A uniform resource locator (URL) embodied in a tangible computer-readable medium, comprising:

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a base URL and a sequence of executable selections;

the base URL defining a location of a resource to be retrieved; and

the sequence of executable selections defining a respective sequence of navigation selections to be executed, each of the sequence of selections being executed after a sequentially preceding selection has been executed, wherein at least one executable selection is stored using at least one coordinate of a pointer selection made by a user, wherein the pointer selection comprises a target network address of a resource retrieved by the user.

26. (Previously Presented)   The URL of claim 25, wherein the navigation selections comprise at least one of a URL, line data, a pointing device selection and keyboard data.

27. (Original)   The URL of claim 25, further comprising a browser size field, for storing a display window size parameter.

28. (Original)   The URL of claim 25, wherein the selection field comprises, for each of the at least one navigation selection:

a content field, for storing the navigation selection;

a type field, for storing an indication of the type of navigation selection included within the content field; and

a next record field, for identifying a next navigation selection within the sequence of navigation selections.

29. - 32.   (Cancelled)

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33.   (Previously Presented)   A data structure embodied in a tangible computer readable medium, comprising:

a uniform resource locator (URL) chain header record comprising a base URL and a plurality of URL chain records, each of the URL chain records comprising a content field for storing an executable selection, the executable selection causing a present resource to be modified, wherein at least one URL chain record is stored using at least one coordinate of a pointer selection made by a user, wherein the pointer selection comprises a target network address of a resource retrieved by the user.

34.   (Original)   The data structure of claim 33, wherein the URL chain record further comprises a type field indicative of the type of executable selection included within the content field.

35   (Original)   The data structure of claim 34, wherein the type of executable content comprises at least one of a URL, line data, a pointing device selection and keyboard data.

36.   (Original)   The data structure of claim 35, wherein each of the URL chain records comprises a next record field for storing a pointer to a next URL chain record within the URL chain.

37.   (Original)   The data structure of claim 36, wherein the URL chain header record comprises a browser size field for storing an indication of an appropriate display window.

38. - 46.   (Cancelled)

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EVIDENCE APPENDIX

None.

RELATED PROCEEDINGS APPENDIX

None.

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